

### **Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (original): A thermally insulative beverage holder having a side wall with inner and outer side wall surfaces, a bottom, an open top, and an interior cavity into which a beverage container is receivable, one portion of the side wall further comprising inner and outer side wall sections having a magnet with a substantially flat, outwardly facing surface disposed between the inner and outer side wall sections, the magnet imparting to the holder an outwardly facing, substantially planar side wall surface on one side of the holder that is releasably attachable to a substantially vertical ferrous metal surface with sufficient attractive force to support a full beverage container disposed inside the holder without relative movement between the holder and the ferrous metal surface.

2. (original): The beverage holder of claim 1, further comprising a magnet disposed in the bottom wall.

3. (original): The beverage holder of claim 1 wherein the magnet is embedded in the side wall between the inner and outer side wall sections.

4. (original): The beverage holder of claim 1 wherein the magnet is disk-shaped.

5. (original): The beverage holder of claim 1 wherein the magnet is round and has a diameter of about 5 cm.

6. (original): The beverage holder of claim 1 wherein the magnet has a thickness of about 3 mm.

7. (original): The beverage holder of claim 1 wherein the magnet is a permanent magnet.

8. (original): The beverage holder of claim 7 wherein the magnet is made of a material selected from the group consisting of neodymium iron boron, barium ferrite and strontium ferrite.

9. (withdrawn): The beverage holder of claim 1 wherein the magnet is insertable into a pocket disposed between the inner and outer side wall sections.

10. (original): The beverage holder of claim 1 wherein the magnet is insert molded into the side wall.

11. (original): The beverage holder of claim 1 wherein the side wall is dip molded.

12. (previously amended): The beverage holder of claim 1, where the side wall comprises at least one polymeric material.

13. (currently amended): The beverage holder of claim [1] 12 wherein the polymeric material is foamed.

14. (previously amended): The beverage holder of claim 1 wherein the bottom comprises at least one polymeric material.

15. (previously amended): The beverage holder of claim 1 wherein the side wall and bottom are unitarily formed.

16. (withdrawn): The beverage holder of claim 23, further comprising a polymeric liner that is relatively more rigid than the side wall, the polymeric liner being substantially cylindrical and insertable into the internal cavity prior to insertion of the beverage container.

17. (withdrawn): The beverage holder of claim 16 wherein the liner has a bottom wall and at least one magnet is disposed between the bottom wall and the bottom of the beverage holder.

18. (withdrawn): The beverage holder of claim 17 wherein at least one aperture extends through each of the bottom wall and the bottom.

19. (withdrawn): The beverage holder of claim 16 wherein the liner has an annular lip disposed above the side wall when the liner is inserted into the interior cavity.

20. (withdrawn): The beverage holder of claim 16 wherein there is at least one air gap between the side wall and the bottom.

21. (withdrawn): The beverage holder of claim 16 wherein the liner further comprises a plurality of reinforcing ribs.

22. (withdrawn): The beverage holder of claim 21 wherein the reinforcing ribs are circumferentially spaced and are contacted by the beverage container when the beverage container is inserted into the beverage holder

23. (currently amended): A beverage holder for a beverage container, the holder having a side wall, a bottom, an open top, and an interior cavity into which a beverage container is receivable, ~~one portion of~~ the side wall further comprising a

portion having an outer shell and an inner shell, with a magnet disposed between the outer shell and inner shell with and having a substantially flat, outwardly facing surface, the magnet making said portion of the side wall of the holder releasably attachable to a ferrous metal surface.

24. (currently amended): The ~~beverage~~ holder of claim 23 wherein the side wall is thermally insulative.

25. (currently amended): The ~~beverage~~ holder of claim 23 further comprising a magnet disposed in the bottom wall.

26. (canceled)

27. (currently amended): The ~~beverage~~ holder of claim 23 wherein the side wall comprises a polymeric material.

28. (currently amended): The beverage holder of claim 24 wherein the side wall comprises a polymeric foam material.